(24)

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition(S) No.5225/2007

Petitioner Smt. Dayawati verma, w/o Late Shri Ramesh Prasad Verma, aged about 55 years, occupation Service, Supervisor, Akikrit Bal Vikas Pariyojana Bastanar, Sector Kilepal Distt. Bastar (C.G)

Versus

RESPONDENTS

1. State of Chhattisgarh, through the Secretary, Mahila Avam Bal Vikas Tatha Samaj Kalyan Vibhag, D.K.S. Bhawan, Shastri Chowk, Raipur, District, Raipur (C.G)
2. The Director, Mahila Avam Bal Vikas Chhattisgarh, Raipur (C.G)
3. The District Program Officer, Mahila Avam Bal Vikas District Bastar (C.G)
4. The District Mahila Bal Vikas Adhikari District Bastar at Jagdalpur (C.G)

Writ petition under Article 226 of the Constitution of India

Appearance:

Shri Subhash Yadav, counsel for the Petitioner.

Shri A.S. Kachhawaha, Govt. Advocate, for the State/ respondents on advance copy

ORAL ORDER

(11.9.2007)

Sunil Kumar Sinha, J,

Heard on admission.

The petitioner, who is working on the post of Supervisor in Ekikrit Bal Vikas Pariyojana, Bastanar, Distt. Bastar, has been transferred to Ekikrit Bal Vikas Pariyojana, Charma, District Kanker on administrative grounds.

Learned counsel for the petitioner submits that the petitioner is a widow having two daughters and her transfer from Bastanar to Charma, would create great hardship to her. On being pointedly asked from learned counsel for the petitioner that since when the petitioner is working at Bastanar, he submits that the petitioner is working there from more than 3 years.

Writ Petition(S) No.5225/2007

Transfer is an incidence of service. No person working on a transferable post can claim to be posted at a particular place. It is for the employer to see that who should be posted where in the interest of better function of the department as also in the public interest. It is the settled view of the apex Court that unless the order of transfer is visited by malafides or extraneous considerations or is against any statutory Rules or Act, it cannot be interfered by a Court of Law. The grounds raised by the learned counsel for the petitioner are personal grounds on which the courts of law cannot entertain the petition against the transfer of an employee, who is posted on a transferable post.

In view of the above, I am not inclined to entertain this petition.

This petition has no merits and the same is dismissed at the motion stage.

Sd/-
Sunil Kumar Sinha
Judge

Rao